

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO, et al.,

Defendants.

CASE NO. 12-2039 (GAG)

ORDER

Commonwealth Senator Rossana López León hand delivered to the Court a letter dated June 8, 2018 (attachment A) requesting action regarding Lt. Henry Escalera Rivera's nomination to the position of Police Commissioner. The Senator posits that there exists a local court judgment against Lt. Escalera for civil rights violations, which was affirmed by the local appeals court. In light of this, she submits that the nominee should not be confirmed, more so, in light of the ongoing federal police reform process.

The federal court—absent a live case or controversy—lacks jurisdiction to enjoin a local senate confirmation proceeding. More so, the Senator has the opportunity during the same to raise her concerns and vote against the confirmation. After all, “‘Puerto Rico, like a state, is an autonomous political entity, sovereign over matters not ruled by the [Federal] Constitution.’” Puerto Rico v. Sanchez Valle, 136 S. Ct. 1863, 1874 (2016) (alteration in original) (quoting Rodriguez v. Popular Democratic Party, 457 U.S. 1, 8 (1982)).

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1 The letter has been copied to US DOJ counsel. Accordingly, any concerns that the federal
2 government shares with Senator López can be fully and properly channelized, if warranted.

3 **SO ORDERED.**

4 In San Juan, Puerto Rico this 11th day of June, 2018.

5 *s/ Gustavo A. Gelpí*
6 GUSTAVO A. GELPI
7 United States District Judge
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